THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23594 OF 2005

DATED 03-11-2005

BETWEEN:

Anchala Vijayalakshmi .. Petitioner

And

The Spl.Officer and Competent Authority .. Respondent

THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.23594 OF 2005

ORDER:

The petitioner seeks a direction to the respondent to consider his representation dated 20.11.2004 in the light of the instructions or guidelines issued by the Government of India, Ministry of Urban affairs and Employment (Department of Urban Development) Nirman Bhavan, New Delhi, dated 21.05.1997 in No.3/1/97 UCU(2) and as per the Judgment of the Supreme Court reported in 2003(5) ALD page 487 as per law by declaring the in action of the

respondent in not consider the petitioner representation as illegal and arbitrary.

The learned counsel for the petitioner submits that at the time of filing of the declaration the petitioner mortgaged the property and therefore, the petitioner is entitled for certain holding under the Act. But the proceedings initiated against the petitioner have become final without considering her claims. It is further stated that she has filed a representation on 20.11.2004 to include certain extent of land towards her share. Without going into the merits of the case and the other contentions of the petitioner, it is just and proper for the respondent to consider the petitioner's representation dated 20.11.2004, within a period of 8 weeks from the date of receipt of a copy of this order, in accordance with law, after giving reasonable opportunity to the petitioner.

Accordingly the writ petition is disposed of. No costs.

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03-11-2005

kvrm